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5/13/2013

WQC number: 813-0390-WQC-1

Public Notice

Closing Date:
6/11/2013

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

813-0340
401
NW
00QC-1
401 application

**Commonwealth of Kentucky
Department for Natural Resources
Division of Mine Permits**

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Energy and Environment Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Revelation Energy, LLC
Mailing Address: 160 Lank Branch, Ste. 2, Pikeville, KY 41501

Contact Person: Todd Tackett
Telephone No: (606) 433-1630
E Mail Address: ttackett@revelenergy.com

2. **Consultant Name & Address:** Ashlie Childers, Summit Engineering, Inc., 131 Summit Dr.,
Pikeville, KY 41501

Telephone No. (606) 432-1447 ext. 315
E Mail Address: achilders@summit-engr.com

3. **Provide a brief description of the proposed activity and stream impact.**
KDNR Permit No. 813-0390 is currently pending transfer from KDNR Permit No. 813-0362. Sediment structure 202
on this KDNR permit is located in Press Howard Fork and impacts 439 feet of intermittent channel. Press
Howard Fork is a tributary of South Fork Quicksand Creek of North Fork Kentucky River. This Nationwide Permit
43 application is limited to the authorization of construction of this sediment structure only.

4. **Project Location Information:**

County Breathitt; **USGS Quadrangle Name** Gauge and Quicksand

Nearest Community & Road Intersection: Rousseau, Holly Br. Rd and KY-1878

Longitude 83-12-11W **Latitude** 37-32-57N (Approximate center of the project area)

5. **List the names of all streams affected by the proposed project:**
Press Howard Fork

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure.

Sediment Structure 202 has a drainage area of approximately 90 acres.

7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.

439 feet of temporary impact to an intermittent channel

8. Provide the acreage of wetlands that would be impacted: n/a

9. Beginning at the nearest intersection of two public roads, provide directions to the project site:

From Salyersville, head west on the Mountain Parkway. After 3.7 miles, take ramp on right towards KY-30. Turn left on KY-30.

After 13.3 miles, turn left onto KY -542, then after 6.4 miles bear right onto Holley Branch Road. In 2.2 miles, turn right toward KY-1878/Press Howard Fork. In 2.1 miles, turn left onto KY-1878/Press Howard Fork. Drive around 0.5 miles to reach destination.

10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes ☒ No ☐. If yes, indicate type of application:

NW 12 ☐ NW 14 ☐ NW 21 ☐ NW 27 ☐ NW 49 ☐
NW 50 ☐ Individual ☐ **NW 43 was submitted

11. Provide the following permit numbers associated with this mining activity:
SMCRA Permit No. 813-0390, KPDES No. KYG046290

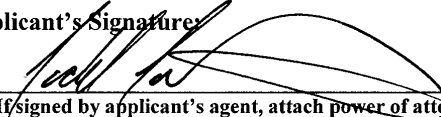
12. The following attachments must be provided:

- A watershed map showing all ponds and hollowfills to scale with all intermittent, and perennial stream reaches clearly identified.
- A 7.5 minute topographic map delineating the proposed project area.
- A copy of the complete Compensatory Mitigation Plan

List all other plans and profiles included with this application:

A copy of the NWP 43 application submitted to USACE is attached which includes the requested items listed above.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature: 

, Date: 04/10/13

If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

**WQC COORDINATOR
DIVISION OF MINE PERMITS
#2 HUDSON HOLLOW
FRANKFORT, KENTUCKY 40601**